

**ANNOTATED MINUTES**

*Tuesday, October 11, 1994 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**BOARD BRIEFING**

- B-1 Department of Community Corrections Supervision of Sex Offenders.  
Presented by Tamara Holden and Michael Haines.*

**TAMARA HOLDEN, MICHAEL HAINES, MAGGIE MILLER, TOM GRINNELL AND CARY HARKAWAY  
PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS AND DISCUSSION.**

- B-2 Early Childhood Development/Ready to Learn Benchmark Plan, Parents as Teachers Program. Presented by Multnomah Commission on Children and Families, Pauline Anderson, Cornetta Smith, and Helen Richardson.*

**HELEN RICHARDSON AND CAROL WIRE  
PRESENTATION AND RESPONSE TO BOARD  
QUESTIONS.**

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*Tuesday, October 11, 1994 - 1:30 PM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**PLANNING ITEMS**

*Chair Beverly Stein convened the meeting at 1:36 p.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.*

- P-1 CS 6-94 Review the August 24, 1994 Hearings Officer Decision APPROVING, Subject to Conditions, a Change in Zone Designation from MUA-20 to MUA-20, C-S, (Multiple Use Agriculture-20, Community Service) for a Group Care Facility in an Existing Dwelling, for Property Located at 3745 SE 317TH AVENUE, TROUTDALE*

**DECISION READ, NO APPEAL FILED, DECISION STANDS.**

- P-2 C 10-94 First Reading of a Proposed ORDINANCE Amending the Comprehensive Framework Plan Policies and Significant Environmental Concern (SEC) Section of the Zoning Code to Protect Significant Wildlife Habitat, Scenic Views and Streams in the West Hills and Howard Canyon*

*Areas, in Fulfillment of Periodic Review Remand Order Requirements*

**PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF FIRST READING. SCOTT PEMBLE PRESENTATION AND RESPONSE TO BOARD QUESTIONS. CHARLES CIECKO, DONNA MATRAZZO, JOHN SHERMAN, ARNOLD ROCHLIN AND THOMAS NASH TESTIMONY AND RECOMMENDATIONS CONCERNING VARIOUS AMENDMENTS TO PROPOSED ORDINANCE. JIM EMERSON TESTIMONY IN SUPPORT OF PROPOSED ORDINANCE. NANCY FICK, DONIS McARDLE AND JOSEPH KABDEBO TESTIMONY IN OPPOSITION TO PROPOSED ORDINANCE DUE TO ZONING LIMITATIONS FOR WEST HILLS PROPERTY OWNERS. CHAIR STEIN DIRECTED STAFF TO PROVIDE AREA MAPS AT FUTURE BOARD HEARINGS. AT THE SUGGESTION OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT SECTION 11.15.6412(C) BE AMENDED FROM 10 TO 30 DAYS. UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT SECTION 11.15.6418 BE AMENDED TO ADD "LIGHTING, AND TIMING OF CONSTRUCTION AND RELATED ACTIVITIES." UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER HANSEN, IT WAS UNANIMOUSLY APPROVED THAT SECTION 11.15.6422(C) BE AMENDED TO ADD "THIS SECTION IS ONLY APPLICABLE FOR WETLAND RESOURCES DESIGNATED 3-C". UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT SECTION 11.15.6428 BE AMENDED TO ADD "THIS SECTION IS ONLY APPLICABLE FOR STREAM RESOURCES DESIGNATED 3-C". UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER COLLIER, IT WAS UNANIMOUSLY APPROVED THAT SECTION 11.15.6428(F)(1) BE AMENDED TO ADD "...MINIMUM WIDTH NECESSARY TO ALLOW PASSAGE OF PEAK WINTER FLOWS...". BOARD COMMENTS AND DISCUSSION. JOHN DuBAY, GORDON HOWARD AND SANDY MATHEWSON**

**COMMENTS AND RESPONSE TO ISSUES RAISED DURING PUBLIC TESTIMONY. MR. HOWARD AND MS. MATHEWSON RESPONSE TO BOARD QUESTIONS AND DISCUSSION. COMMISSIONER COLLIER MOVED AND COMMISSIONER SALTZMAN SECONDED, AN AMENDMENT TO PAGE 18, ADDING "AND SHALL BE CONSIDERED IN MAKING A DETERMINATION OF VISUAL SUBORDINATION INCLUDE:". BOARD COMMENTS. AMENDMENT UNANIMOUSLY APPROVED. MR. HOWARD AND MR. SHERMAN RESPONSE TO BOARD QUESTIONS CONCERNING FENCING. CHAIR DIRECTED STAFF TO PREPARE PROPOSED AMENDMENTS AND INFORMATION REGARDING FENCING; THE DEFINITION OF LOT OF RECORD; MINIMUM SETBACK; AND THE IF AVAILABLE FOR PURCHASE ISSUES. CHAIR STEIN DIRECTED MR. PEMBLE TO WORK WITH THE SOIL AND CONSERVATION SERVICE AND THE MULTNOMAH COUNTY SOIL AND WATER CONSERVATION DISTRICT AND TO PREPARE AN AGRICULTURE USES ACTION PLAN AND POSSIBLE FUNDING PACKAGE FOR BOARD BRIEFING WITHIN SIX WEEKS. FIRST READING UNANIMOUSLY APPROVED, AS AMENDED. SECOND READING SCHEDULED FOR TUESDAY, OCTOBER 18, 1994.**

P-3 C 11-94 *First Reading of a Proposed ORDINANCE Amending Comprehensive Framework Text Plan Policy 16 - B and MCC 11.15 Regarding the Regulation of Surface Mining and Nearby Surrounding Land Uses in Partial Fulfillment of Periodic Review Work Program Tasks Required to Bring Multnomah County's Land Use Program into Compliance with Statewide Planning Goal 5*

**PROPOSED ORDINANCE READ BY TITLE ONLY. COPIES AVAILABLE. COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF FIRST READING. MR. PEMBLE PRESENTATION. CHARLES CIECKO, SKIP ANDERSON, ARNOLD ROCHLIN AND CHRIS FOSTER TESTIMONY AND RECOMMENDATIONS CONCERNING VARIOUS AMENDMENTS TO PROPOSED ORDINANCE. BOARD COMMENTS. GARY CLIFFORD RESPONSE TO ISSUES RAISED IN PUBLIC HEARING. STAFF DIRECTED TO PROVIDE SPECIFIC INFORMATION AND PREPARE PROPOSED AMENDMENTS PRIOR TO SECOND READING. MR. CLIFFORD RESPONSE TO BOARD QUESTIONS AND DISCUSSION. AT THE**

REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT THE RECLAMATION PLAN BE AMENDED TO INCLUDE DOGAMI AND THE DEPARTMENT OF ENVIRONMENTAL QUALITY. MR. CLIFFORD RESPONSE TO BOARD DISCUSSION REGARDING EXEMPTIONS, HILLSIDE AND EROSION CONTROL MEASURES. COMMISSIONER KELLEY MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF PROTECTION CONCEPT IN FARM USE AND ZONES OTHER THAN FOREST. MR. CLIFFORD RESPONSE TO BOARD QUESTIONS. BOARD DISCUSSION. MOTION UNANIMOUSLY APPROVED, WITH STAFF DIRECTED TO PROVIDE SPECIFIC LANGUAGE PRIOR TO SECOND READING. STAFF DIRECTED TO DRAFT PROPOSED LANGUAGE CONCERNING QUARRY OPERATION IN RURAL RESIDENTIAL AND RURAL CENTER ZONED AREAS PRIOR TO SECOND READING. DISCUSSION REGARDING INVENTORY PROTECTION. PLANNING STAFF AND COUNTY COUNSEL DIRECTED TO RESPOND TO MR. CIECKO AND MR. ROCHLIN RECOMMENDED AMENDMENTS PRIOR TO SECOND READING. AT THE REQUEST OF CHAIR STEIN AND UPON MOTION OF COMMISSIONER KELLEY, SECONDED BY COMMISSIONER SALTZMAN, IT WAS UNANIMOUSLY APPROVED THAT PAGE 26 BE AMENDED TO INCLUDE "NOISE AND DUST SENSITIVE LAND USES". MR. FOSTER DISCUSSED THE PLANNING COMMISSION'S THOUGHTS REGARDING INVENTORY PROTECTION AND ESEE ANALYSIS. FIRST READING UNANIMOUSLY APPROVED, AS AMENDED. SECOND READING SCHEDULED FOR TUESDAY, OCTOBER 18, 1994.

*There being no further business, the meeting was adjourned at 4:30 p.m.*

OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY, OREGON



Deborah L. Bogstad

Thursday, October 13, 1994 - 9:30 AM  
Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland

**MERIT SYSTEM CIVIL SERVICE COUNCIL**  
**APPEAL HEARING**

*Chair Beverly Stein convened the hearing at 9:32 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.*

*PH-1 Pursuant to Personnel Rule 23.04 and Multnomah County Code Chapter 3.20.430, the Board of Commissioners Will Conduct a Hearing on the Appeal of the August 22, 1994 Merit System Service Council Remand Decision Concerning Judith May. Upon Conclusion of the Hearing, the Board May Affirm the Council's Decision, Deny the Appeal, or Grant the Appeal But Frame a Different Remedy.*

**CITY ATTORNEY ANNA KANWIT, LEGAL COUNSEL FOR THE BOARD OF COMMISSIONERS, INTRODUCED COUNSEL AND ADVISED EACH SIDE HAS 20 MINUTES, WITH 10 MINUTES FOR BOARD DELIBERATIONS. COUNTY COUNSEL STEVE NEMIROW, REPRESENTING RESPONDENT MULTNOMAH COUNTY, PRESENTED TESTIMONY IN OPPOSITION TO THE BOARD AFFIRMING THE COUNCIL'S DECISION. ATTORNEY DON WILLNER, REPRESENTING APPELLANT JUDITH MAY, PRESENTED TESTIMONY IN SUPPORT OF THE BOARD AFFIRMING THE COUNCIL'S DECISION. MR. NEMINROW AND MR. WILLNER REBUTTAL TESTIMONY. MS. KANWIT EXPLANATION IN RESPONSE TO BOARD QUESTIONS REGARDING THE PARAMETERS FOR A FINDING OF BIAS AND THE DEFINITION OF SUBSTANTIAL EVIDENCE. COMMISSIONER SALTZMAN MOVED AND COMMISSIONER HANSEN SECONDED, TO AFFIRM THE COUNCIL DECISION. BOARD COMMENTS AND DISCUSSION. MS. KANWIT RESPONSE TO BOARD QUESTION CONCERNING RETROACTIVITY ISSUE. MR. NEMINROW AND MR. WILLNER RESPONSE TO BOARD QUESTION REGARDING EVIDENCE OF BIAS. BOARD COMMENTS. MS. KANWIT RESPONSE TO BOARD QUESTION REGARDING SUBSTANTIAL EVIDENCE. MOTION AFFIRMING COUNCIL DECISION UNANIMOUSLY APPROVED.**

*There being no further business, the hearing was adjourned at 10:31 a.m.*

*Thursday, October 13, 1994 - 10:30 AM  
(Or Immediately Following Appeal Hearing)*

*Multnomah County Courthouse, Room 602  
1021 SW Fourth, Portland*

**REGULAR MEETING**

*Chair Beverly Stein convened the meeting at 10:40 a.m., with Vice-Chair Tanya Collier, Commissioners Sharron Kelley, Gary Hansen and Dan Saltzman present.*

**CONSENT CALENDAR**

**UPON MOTION OF COMMISSIONER KELLEY,  
SECONDED BY COMMISSIONER HANSEN, THE  
CONSENT CALENDAR (ITEMS C-1 THROUGH C-10)  
WAS UNANIMOUSLY APPROVED.**

**DEPARTMENT OF HEALTH**

- C-1 *Ratification of Intergovernmental Agreement Contract 200825 Between the State of Oregon, Office of Medical Assistance Programs and Multnomah County, on Behalf of CareOregon, Providing CareOregon Direct Inquiry Only On Line Access to Oregon Health Plan Eligibility Data System to Confirm Client Eligibility, for the Period Upon Execution through June 30, 1999*

**SHERIFF'S OFFICE**

- C-2 *Ratification of Intergovernmental Agreement Contract 800515 Between Multnomah County and David Douglas School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in Eight Elementary Schools, for the Period September 12, 1994 through June 30, 1995*
- C-3 *Ratification of Intergovernmental Agreement Contract 800525 Between Multnomah County and Reynolds School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in Eight Elementary Schools, for the Period September 12, 1994 through June 30, 1995*
- C-4 *Ratification of Intergovernmental Agreement Contract 800535 Between Multnomah County and Orient School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in One Elementary School, for the Period September 12, 1994 through June 30, 1995*
- C-5 *Ratification of Intergovernmental Agreement Contract 800545 Between*

*Multnomah County and Parkrose School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in Four Elementary Schools, for the Period September 12, 1994 through June 30, 1995*

- C-6 *Ratification of Intergovernmental Agreement Contract 800555 Between Multnomah County and Corbett School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in Two Elementary Schools, for the Period September 12, 1994 through June 30, 1995*
- C-7 *Ratification of Intergovernmental Agreement Contract 800565 Between Multnomah County and Riverdale School District, Wherein the Sheriff's Office Will Provide D.A.R.E. (Drug Abuse Resistance Education) Program Services in One Elementary School, for the Period September 12, 1994 through June 30, 1995*
- C-8 *Ratification of Intergovernmental Agreement Contract 800575 Between the Oregon State Marine Board and Multnomah County, Providing Marine Board Funding for the Sheriff's Office River Patrol to Conduct Marine Law Enforcement Activities for the Period July 1, 1994 through June 30, 1995*

#### DEPARTMENT OF COMMUNITY CORRECTIONS

- C-9 *Ratification of Amendment 1 to Intergovernmental Agreement Contract 900374 Between the State of Oregon Department of Corrections and Multnomah County, Transferring the Responsibility of Subsidy Payments to the County, Including Transfer of the Related Funds, for the Period July 1, 1993 through June 30, 1995*
- C-10 *Budget Modification DCC 2, Requesting Authorization to Appropriate Revenue from the State of Oregon Department of Corrections to the DCC Program Development Budget, for the Purpose of Providing Financial Support to Inmates for Release Needs Which May Exceed the Funds They Have Accumulated*

#### REGULAR AGENDA

#### NON-DEPARTMENTAL

- R-1 *Presentation of "Director's Award" from Oregon Emergency Management Department of State Police, in Recognition of the Participation and Contribution of Multnomah County for Establishment and Support of the Regional Emergency Management Group*

**PENNY MALMQUIST PRESENTATION AND  
SUBMITTAL OF PLAQUE AND CERTIFICATE.**

COMMUNITY AND FAMILY SERVICES DIVISION

- R-2 *PUBLIC HEARING to Consider Recommendations of the Technical Review Committee for the Multnomah County Affordable Housing Development Program and BOARD DECISIONS Regarding the Transfer of Tax Foreclosed Property at the Request of the Following Non-Profit Housing Agencies: Habitat for Humanity, Human Solutions, Inc., Christian Women Against Crime, HOST Development, Inc., Rose CDC, Portsmouth Project, Housing Our Families, Sabin CDC, Hacienda CDC and Miracle Revivals, Inc.*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF TECHNICAL REVIEW COMMITTEE RECOMMENDATIONS. H.C. TUPPER EXPLANATION. ROBERT HARDIES, DORIS SCOTT, NICK SAUVIE, VINCE CHIOTTI, GRETCHEN DURSCH, CHRIS PIERCE, MARINA VELASQUEZ (VIA INTERPRETER MARIA ORONA) AND LORA CRESWICK TESTIMONY IN SUPPORT OF TRANSFERS. MS. CRESWICK RESPONSE TO BOARD QUESTIONS CONCERNING PORTSMOUTH PROJECT. MR. TUPPER RESPONSE TO BOARD QUESTIONS. CHAIR STEIN ACKNOWLEDGED CONCERNS OF HACIENDA CDC AND ADVISED SHE WILL INITIATE A REVISIT OF THE CHAS GOALS. MOTION UNANIMOUSLY APPROVED. [ORDER 94-195]**

DEPARTMENT OF COMMUNITY CORRECTIONS

- R-3 *Request for Approval of a Notice of Intent to Apply for a Cooperative Demonstration Program (Correctional Education) Grant from the U.S. Department of Education, to Provide Vocational Training, Placement Assistance, and Job Retention Services for Community Corrections Clients at the Donald H. Londer Center for Learning*

**COMMISSIONER KELLEY MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-3. CARY HARKAWAY EXPLANATION. NOTICE OF INTENT UNANIMOUSLY APPROVED.**

DEPARTMENT OF ENVIRONMENTAL SERVICES

- R-4 *RESOLUTION in the Matter of Relinquishing Responsibility for the Multnomah County Fair to the Friends of the Multnomah County Fair*

**COMMISSIONER COLLIER MOVED AND COMMISSIONER HANSEN SECONDED, APPROVAL OF R-4. BETSY WILLIAMS EXPLANATION. RICK PAUL**

**TESTIMONY. MS. WILLIAMS AND BOARD RESPONSE TO ISSUES RAISED BY MR. PAUL. BOARD COMMENTS. RESOLUTION 94-196 UNANIMOUSLY APPROVED.**

**NON-DEPARTMENTAL**

R-5 *ORDER in the Matter of Property Tax Forgiveness for Real Property Donated to the City of Portland for Park Purposes*

**COMMISSIONER HANSEN MOVED AND COMMISSIONER SALTZMAN SECONDED, APPROVAL OF R-5. SUSAN HATHAWAY-MARXER EXPLANATION AND RESPONSE TO BOARD QUESTIONS. ORDER 94-197 UNANIMOUSLY APPROVED.**

R-6 *RESOLUTION in the Matter of Adjusting Salaries for the County Chair and Commissioners to Amounts Less Than Recommendations of the 1994 Salary Commission*

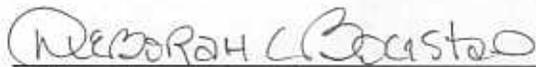
**COMMISSIONER SALTZMAN MOVED AND COMMISSIONER COLLIER SECONDED, APPROVAL OF R-6. DAVE WARREN EXPLANATION. BOARD COMMENTS. RESOLUTION 94-198 UNANIMOUSLY APPROVED.**

**PUBLIC COMMENT**

R-7 *Opportunity for Public Comment on Non-Agenda Matters. Testimony Limited to Three Minutes Per Person.*

*There being no further business, the meeting was adjourned at 11:47 a.m.*

**OFFICE OF THE BOARD CLERK  
for MULTNOMAH COUNTY, OREGON**



**Deborah L. Bogstad**